

# EXHIBIT A

**Ganz, Howard L.**

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**From:** John C. Briody <jbriody@McKoolSmith.com>  
**Sent:** Thursday, November 21, 2013 8:33 AM  
**To:** Ganz, Howard L.  
**Cc:** Jordan W. Siev (JSiev@ReedSmith.com); Peter J. Most; Gayle R. Klein  
**Subject:** RE: Michael Sitrick

Mr. Ganz:

Mr. Sitrick has said that he would cooperate to the extent he can. Apparently, you are not proceeding in the same manner. It is simply unreasonable to require Mr. Sitrick to drop everything he is doing and travel from Los Angeles to New York during Thanksgiving week. I was under the impression that you were going to call me concerning the possibility of Mr. Sitrick clearing space from his full schedule and making himself available for a telephonic appearance at the hearing--a proposal we believe would be very generous given our belief that the Judge was incorrect in ruling that the subpoena was enforceable, and thus he would prevail upon appeal. Given that you've rejected that proposal, you've left Mr. Sitrick no choice but to exercise his appellate rights.

I should add that we think it would be improper to seek any directive from the arbitrator where no Court order has been entered, and a 14-day stay applies to any enforcement of the order. FRCP 62.

John Briody | Principal | McKool Smith  
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**From:** Ganz, Howard L. [mailto:[HGanz@proskauer.com](mailto:HGanz@proskauer.com)]  
**Sent:** Wednesday, November 20, 2013 10:01 PM  
**To:** John C. Briody  
**Cc:** Jordan W. Siev ([JSiev@ReedSmith.com](mailto:JSiev@ReedSmith.com))  
**Subject:** Michael Sitrick

Mr. Briody:

We would like to be as cooperative as we can with respect to the appearance of Mr. Sitrick. However, the arbitration appears to be coming rapidly to a conclusion. When we spoke this morning, you said you would get back to me, but I have not heard from you. Absent some agreement on the appearance of Mr. Sitrick, we have little choice but to ask the Arbitrator, when the hearing resumes tomorrow morning at 9:30 a.m., to direct that Mr. Sitrick appear at a date and time as determined by the Arbitrator.

Thank you.

**Howard L. Ganz**  
Member of the Firm

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